

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:17-CR-164

JUDGE EDMUND A. SARGUS, JR.

v.

MARTIN NEFTALI AGUILAR-RIVERA,

et al.,

Defendants.

OPINION AND ORDER

This matter is before the Court on the Government's unopposed Motion to Dismiss Defendants' Motions as Moot, which is hereby **GRANTED**. (ECF No. 1032.)

The Second Superseding Indictment charges 23 defendants with conspiracy to commit racketeering and related offenses. (ECF No. 179.) For the purposes of this motion, the following defendants have entered guilty pleas and been sentenced: Martin Neftali Aguilar-Rivera (a/k/a Momia) (ECF Nos. 833, 922); Juan Jose Jimenez-Montufar (a/k/a Chele Trece) (ECF Nos. 877, 986); Jose Salinas-Enriquez (a/k/a Martillo) (ECF Nos. 770, 901); Denis Fuentes-Avila (ECF Nos. 697, 813); and Jose Mendez-Peraza (a/k/a Shadow) (ECF Nos. 907, 1016). Another defendant, Jose Salvador Gonzalez-Campos (a/k/a Danger), has entered a guilty plea and is pending sentencing. (ECF No. 892.)

At the time these defendants pleaded guilty, they collectively had 22 pending motions in this case. Those motions are listed below:

- **Aguilar-Rivera:** motion for discovery, motion for pretrial notice of other acts evidence, motion for production of exculpatory evidence, and request for notice of intention to use evidence. (ECF Nos. 50–53.)

- **Jimenez-Montufar:** motions for discovery. (ECF Nos, 49, 221.)
- **Salinas-Enriquez:** motions for discovery, motion for pretrial notice of other acts evidence, motion for production of exculpatory evidence, and motion for notice of intention to use evidence. (ECF Nos. 44–46, 61, 62.)
- **Fuentes-Avila:** motion for discovery. (ECF No. 175.)
- **Gonzalez-Campos:** motion for discovery, request for notice of intention to use evidence, motion for disclosure of *Brady* materials, and request for pretrial disclosure of Rule 404(b) evidence. (ECF Nos. 375–378.)
- **Mendez-Peraza:** motion for disclosure of evidence, motion for disclosure of experts, motion for disclosure of *Giglio* material, motion in limine to determine admissibility of hearsay statements, motion for disclosure of government’s intent to use evidence, and motion for disclosure of other acts evidence. (ECF Nos. 388–393.)

The entries of these defendants’ respective guilty pleas rendered moot their pending motions. Therefore, the Court **GRANTS** the Government’s unopposed Motion to Dismiss Defendants’ Motions as Moot, ECF No. 1032, and **DISMISSES AS MOOT** the motions filed at ECF Nos. 44–46, 49, 50–53, 61, 62, 175, 221, 375–378, 388–393.

IT IS SO ORDERED.

5/20/2020
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE